

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

GERALD D. SMITH,)	
)	
Petitioner,)	8:17CV278
)	
v.)	
)	
FRED BRITTEN,)	ORDER
)	
Respondent.)	
_____)	

Because the \$5.00 filing fee has already been paid,

IT IS ORDERED that Petitioner's Motion and Affidavit For Leave To Proceed In Forma Pauperis (filing no. 4) is denied as moot. The Court will not refund the fee previously paid.

DATED this 28th day of August, 2017.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge